

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

JUDGMENT IN A CIVIL CASE

BORGWARNER MORSE TEC INC.

vs.

CASE NUMBER: 5:10-CV-1076 (ATB)

WAXMAN INDUSTRIAL SERVICES CORP.

Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that the Settlement Agreement signed by the principals of plaintiff and defendant corporations, is **APPROVED**. This Court will retain jurisdiction of this matter until February 1, 2012. Either party may request reopening of the action, for the purpose of determining any issues that may arise regarding compliance with the Settlement Agreement, including submission of the "Consent Judgment" for the Court's signature and entry in case of defendant's uncured default. This Action is otherwise **DISMISSED**.

All of the above pursuant to the Order of the Honorable Magistrate Judge Andrew T. Baxter, dated the 19th day of April, 2011.

DATED: April 19, 2011


Clerk of Court

s/ Melissa Ennis

Melissa Ennis
Deputy Clerk